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OFFICIAL GAZETTE

GOVERNMENT OF GOA

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EXTRAORDINARY

GOVERNMENT OF GOA

Department of Law
Legal Affairs Division

Notification

7/28/2022-LA

The Goa Municipalities (Amendment) Act, 2022 (Goa Act 14 of 2022), which has been passed by the Legislative Assembly of Goa on 21-07-2022 and assented to by the Governor of Goa on 6-09-2022, is hereby published for the general information of the public.

D. S. Raut Dessai, Joint Secretary (Law).

Porvorim, 14th September, 2022.

The Goa Municipalities (Amendment) Act, 2022

(Goa Act 14 of 2022) [06-09-2022]

AN

ACT

further to amend the Goa Municipalities Act, 1968 (Act 7 of 1969).

Be it enacted by the Legislative Assembly of Goa in the Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Municipalities (Amendment) Act, 2022.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Municipalities Act, 1968 (Act 7 of 1969) (hereinafter referred to as the "principal Act"),—

(i) after clause (19), the following clause shall be inserted, namely:—

"(19a) "holder" means a person who is in possession of the building/land;";

(ii) after clause (25), the following clause shall be inserted, namely:—

"(25 a) "member of family of lessee" means lessee's spouse, or son, or unmarried daughter, or father, or mother, or grandson, or unmarried grand-daughter;".

3. *Amendment of section 10.*— In section 10 of the principal Act, in sub-section (1), for the word "Director", wherever it occurs, the words "State Election Commission in consultation with the Government" shall be substituted.

4. *Amendment of section 56.*— In section 56 of the principal Act,—

(i) in sub-section (2), for the expression "not less than one-third", the word "majority" shall be substituted;

(ii) after sub-section (4), the following sub-section shall be inserted, namely:—

"(5) No requisition for such special meeting shall be moved before expiry of a period of six months from the date of convening of the special meeting of the Council wherein the resolution for removal of the Chairperson or Vice-Chairperson, as the case may be, is defeated."

5. *Amendment of section 88.*— In section 88 of the principal Act (i) in sub-section (2), the words "of not less than two-thirds" shall be omitted.

(ii) in sub-section (3), for the existing proviso, the following proviso shall be substituted, namely:—

"Provided that in respect of immovable property of a council where the period of lease has already expired and such lease is not renewed, the Council may renew the lease of such immovable property at such rate of rental and on such terms and conditions as may be notified by the Government by notification in the Official Gazette".

6. *Amendment of section 101.*— In section 101 of the principal Act, in sub-section (1), in clause (a), for the words "rateable value", the expression "rateable value or capital value, as the case may be" shall be substituted.

7. *Amendment of section 110.*— In section 110 of the principal Act, (i) in sub-sections (1) and (2), for the words "Rateable value" and "rateable value", whenever they occur, the expression "rateable value" or capital value" shall be substituted.

(ii) after sub-section (2), the following sub-section shall be inserted, namely.—

"(3) The tax of any building or land assessable for property tax shall be calculated on the basis of capital value system of the property as may be notified by the Government by notification in the Official Gazette."

8. *Omission of sections 131, 132, 133, 134, 135 and 136.*— Sections 131, 132, 133, 134, 135 and 136 of the principal Act shall be omitted.

9. *Insertion of new section 265A.*— After section 265 of the principal Act, the following section shall be inserted, namely:—

"265A. Sealing of premises carrying on any trade and or occupation without licence.— (1) If any person without obtaining a licence from the Council under section 252 or section 265 carries on any trade or occupation in any premises within the limits of municipal area, the Chief Officer shall, after giving an opportunity of being heard to such person seal such premises:

Provided that if the application for licence is already submitted to the Council, such premises shall not be sealed till such application is rejected on merit:

Provided further that no such premises shall be sealed till the expiry of the period given to rectify any defect thereof.

(2) An appeal against the order of the Chief Officer shall lie before the Director and his decision in the matter shall be final:

Provided that the Director shall not grant any interim relief without hearing the Chief Officer."

10. *Amendment of section 270.*— In section 270 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) Whoever forcibly opposes the seizure of cattle liable to be seized under this section, and whoever rescues the same after seizure, either from a pound or from any person taking or about to take them to a pound, shall, on conviction, be punished with fine of ten thousand rupees."

11. *Amendment of section 276.*— In section 276 of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely:—

"(1) Whoever, within a municipal area, allows any cattle which are in his property or in his charge to stray in any street or to trespass upon any private or public property shall, on conviction, be punished,—

(i) for the first offence, with fine of ten thousand rupees;

(ii) for a second or subsequent offence, with fine of fifteen thousand rupees.”.

12. *Amendment of section 286.*— In section 286 of the principal Act, in sub-section (1), in clause (d), for the words “rateable value”, the words “rateable value or capital value” shall be substituted.

Secretariat,
Porvorim, Goa.
Dated: 14-09-2022.

SANDIP JACQUES
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/7/2022-LA

The Goa Change of Name and Surname (Amendment) Act, 2022 (Goa Act 15 of 2022), which has been passed by the Legislative Assembly of Goa on 22-07-2022 and assented to by the Governor of Goa on 08-09-2022, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary (Law).

Porvorim, 14th September, 2022.

The Goa Change of Name and Surname (Amendment) Act, 2022

(Goa Act No. 15 of 2022) [08-09-2022]

AN

ACT

further to amend the Goa Change of Name and Surname Act, 1990 (Goa Act No. 8 of 1990).

Be it enacted by the Legislative Assembly of Goa in the Seventy-third Year of Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Change of Name and Surname (Amendment) Act, 2022.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Goa Change of Name and Surname Act, 1990 (Goa Act No. 8 of 1990) (hereinafter referred to as the “principal Act”),- clauses (a) and (h) shall be omitted;

3. *Amendment of section 3.*— In section 3 of the principal Act,—

(i) for the words “Registrar” and “Chief Registrar”, wherever they occur, the words “Civil Judge Junior Division” and “District Judge” shall be respectively substituted;

(ii) in sub-section (1),—

(a) for the words “Any person” the expression “Any person who is born and whose birth is registered, in the State of Goa, and whose either of parents or grandparents’ is born in the State of Goa,” shall be substituted;

(b) for the words “surname or both”, the words “surname or both as recorded in the birth register in the State of Goa” shall be substituted.

Secretariat,
Porvorim, Goa.
Dated: 14-09-2022.

SANDIP JACQUES
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/39/2022-LA

The Goa Electronic Delivery of Notices Act, 2022 (Goa Act 16 of 2022), which has been passed by the Legislative Assembly of Goa on 21-07-2022 and assented to by the Governor of Goa on 08-09-2022, is hereby published for the general information of the public.

D. S. Raut Dessai, Joint Secretary (Law).
Porvorim, 14th September, 2022.

The Goa Electronic Delivery of Notices
Act, 2022

(Goa Act 16 of 2022) [08-09-2022]

AN

ACT

*to provide for serving of Notices through
electronic media and for matters
connected therewith or incidental thereto.*

Be it enacted by the Legislative Assembly
of Goa in the Seventy-third Year of the
Republic of India as follows:

1. *Short title, extent, commencement.*— (1)
This Act may be called the Goa Electronic
Delivery of Notices Act, 2022.

(2) It extends to the whole of the State
of Goa.

(3) It shall come into force on such date as
the Government may by notification in the
Official Gazette, appoint.

2. *Definitions.*— In this Act, unless the
context otherwise requires,—

(a) “electronic device” means a cell
phone, a computer, and any other device
that is capable of transmitting, receiving, or
recording message, image, sound, data, or
other information by electronic means;

(b) “electronic form” means e-mail, e-mail
attachments, data submitted on web-based
forms or any other communication method
that delivers machine readable data or
information to lender through an electronic
device;

(c) “Government” means the Government
of Goa;

(d) “Notice” means any summons,
requisition, direction, process, or any other
similar mode of communication being used
to inform, warn or direct any person under
any State law or proceeding but does not
include a public notice;

(e) “prescribed” means prescribed by the
rules made under this Act;

(f) “public notice” means a proclamation
or a publicity by beating of drums and
includes a notice which is meant for the
public at large;

(g) “State” means the State of Goa.

3. *Service of Notice through electronic
system.*— (1) Notwithstanding anything
contained in any State law or rules and
regulations made thereunder, any notice
which is required to be given under such State
law or rules and regulations, to any person,
may be sent in electronic form, where such
person or his authorized representative gives
consent in writing for service of notice on him
by such mode.

(2) A notice served in electronic form under
sub-section (1) shall be deemed to have been
duly served when the electronic device used
for such notice clearly indicates that such
notice is viewed by such person or his
authorized representative.

4. *Form of notice.*— A notice referred in
section 3 shall be given in the same form as
specified in the State law or rules and
regulations framed thereunder.

5. *Unique identification of notice.*— Any
notice served as per the provisions of this Act
shall be uniquely identified in such manner
as may be prescribed.

6. *Power to make Rules.*— The Government
may, by notification in the Official Gazette,
make rules not inconsistent with the
provisions of this Act for the purpose of
carrying into effect the provisions of this Act.

Secretariat,
Porvorim, Goa.
Dated: 14-09-2022.

SANDIP JACQUES
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

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